UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

May 20, 2011

UPS

Mr. David Keith
Project Coordinator
Anchor QEA, LLC
614 Magnolia Avenue
Ocean Springs, MS 39654

RE: San Jacinto River Waste Pits Superfund Site, Pasadena, Harris County, Texas
Unilateral Administrative Order, CERCLA Docket No. 06-03-10
Sampling of Residential Yards within the Remedial Investigation and Feasibility Study Area

Dear Mr. Keith:

The purpose of this letter is to notify you that the Environmental Protection Agency (EPA) has determined that residential sampling in community areas, located near the waste pits and within the Remedial Investigation and Feasibility (RI/FS) Study Area, is required for the RI/FS being conducted by Respondents under the Unilateral Administrative Order (UAO), CERCLA Docket No. 06-03-10, for the San Jacinto River Waste Pits Superfund Site (Site). In keeping with Paragraph 53 of the UAO, the purpose of the residential sampling is to determine the nature and extent of contamination at or from the Site including whether contamination from the waste pits has spread to the surrounding residential properties that are less than a mile from the waste pits. In accordance with Paragraphs 54 and 71 of the above referenced UAO, the EPA is directing Respondents to revise the Final RI/FS Work Plan, dated November 2010, or prepare an addendum to the Work Plan, to provide the necessary plans and schedule to accomplish residential sampling adjacent to the San Jacinto River and within the RI/FS Study Area. The revised RI/FS Work Plan or Work Plan addendum shall be submitted to EPA in accordance with the UAO within twenty calendar days of receipt of this letter.

As you are aware, the Site includes former waste paper sludge pits located on the western bank of the San Jacinto River directly north of the Interstate Highway 10 Bridge. Approximately half of the Site's surface area, including the abandoned waste disposal ponds, is now submerged below the adjacent San Jacinto River's water surface. The primary hazardous substances documented at the Site are dioxins and dibenzo-furans. Historical sampling results of the pits indicated high levels of dioxin, the highest concentration within the pits coming in at 41,300

parts per trillion. Subsequent sampling of the pits conducted by the Respondents in April 2010, indicated dioxin concentrations ranging from 100,000 parts per trillion to 360,000 parts per trillion including the portions of the waste pits that are now located at the bottom of the San Jacinto River. Sediments contaminated with high levels of dioxin have been found in the San Jacinto River both upstream and downstream from the waste pits due to tidal influences.

Residential properties lie within the 100-year floodplain of the San Jacinto River, on both the east and west sides of the river less than one mile from the waste pits and is within the RI/FS Study area for the Site. The residential properties near the waste pits have experienced many extreme storm events with consistently above average storm surges and flood events such as Hurricane Rita (2005), Tropical Storm Allison (2001), and the October Floods (1994). For example, the RI/FS Work Plan noted that the October 1994 floods was a 100 year flood event and the San Jacinto River reached a maximum level of 27-feet above mean sea level where the waste pits are located.

Sampling is necessary to determine whether contaminated sediment or waste sludge from the waste pits may have been carried to residential properties during one or more of the past flood events. The contaminant concentrations within the sediment of the San Jacinto River bed adjacent to the community areas are not a reliable predictor of the contaminant concentrations in the soil in residential areas above the river bank. Conditions within the San Jacinto River, including the concentrations of contaminants, change over time because there is a variation in the typical range of flow velocities that the river normally experiences. In contrast, the conditions of adjacent soil in the residential properties is typically not affected by normal river flow, but is subject to the extreme storm events of floods and storm surges. Because of this, the conditions of the sediments will not necessarily predict the soil conditions of the adjacent soils in the adjacent properties. Sampling is therefore necessary to establish whether contamination from the Site-related waste pits extends to residential properties.

Ten to fifteen residential property soil samples are required for community areas on both sides of the San Jacinto River near the Site. These soil samples will be analyzed for dioxins and furans. In addition, an appropriate number of quality control samples are required.

For your information, the Community Engagement Initiative (CEI) involves efforts to inform the community regarding conditions in the area of a Superfund site, and is not a program to perform sampling. Instead, it seeks to communicate the results of any sampling that is done and develop methodologies to improve public communication and outreach efforts regarding a site.

Please provide written notice within ten days of receipt of this letter of whether Respondents will perform sampling of residential properties as part of the RI/FS. Please contact me at (214) 665-8318 for any questions on this, or Barbara Nann at (214) 665-2157 for any legal issues.

Sincerely,

Gary Miller, P.E.
Remedial Project Manager

cc: Luda Voskov (TCEQ)